



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager *MLG*

Date: April 18, 2013

Initiated By: Sara Ott, Sr. Project Manager

Re: Ordinance 34-13 – Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.138 Acres, More or Less, Fee Simple Interest (with 0.138 Acres as Present Road Occupied); a 0.024 Acres, More or Less, Permanent Shared-Use Path, Utilities, Drainage and Grading Easement; and a 0.021 Acres, More or Less, Temporary Easement from Michael A. and Judith E. Teets.

Background

The City of Dublin ("City") is preparing to construct a shared-use path on the southern side of Brand Road between Muirfield Drive and Earlington Parkway (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers, based upon appraisals, to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Michael A. and Judith E. Teets (the "Grantor"). After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire these necessary property interests pursuant to the terms outlined in this memorandum.

Acquisition

The City will acquire from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal descriptions and maps attached to this memorandum. The City will acquire these property interests for the appraised value. The acquisition is detailed below:

<i>Property Interest Acquiring</i>	<i>PROPOSED ACRES</i>	<i>APPRAISED COST</i>
Present Road Occupied (P.R.O.)	0.138	\$1
Permanent Multi-Use, Utility, Grading and Drainage Easement	0.024	\$1,299
Temporary Construction and Grading Easements	0.021	\$200
Vegetation/Natural Growth Being Removed		\$4,600
Total		\$6,100

Recommendation

Ordinance 34-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 34-13 at the second reading/public hearing on May 6, 2013 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

34-13

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.138 ACRES, MORE OR LESS, FEE SIMPLE INTEREST THAT IS PRESENT ROAD OCCUPIED PROPERTY; A 0.024 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT; AND A 0.021 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM MICHAEL A. AND JUDITH E. TEETS.

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Brand Road (the "Project"); and

WHEREAS, said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-000436, owned by Michael A. and Judith E. Teets (the "Grantors"), with an address of 5805 Brand Road, said property interests more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of Six Thousand One Hundred Dollars (\$6,100); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire an approximate 0.138 acres, more or less, fee simple interest that is present road occupied property; a 0.024 acres, more or less, permanent multi-use, utility, grading and drainage easement; and a 0.021 acres, more or less, temporary easement from Michael A. and Judith E. Teets for the sum of Six Thousand One Hundred Dollars (\$6,100), said property interests located within Franklin County and identified as Parcel No. 273-000436, and as more fully described and depicted in the attached Exhibits "A" and "B."

Section 2. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2013

Mayor - Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

Page 1 of 1
CIP 11-022-CIP
PARCEL 2-WD
PROJECT BRAND SUP
Version Date 12/06/12

**PARCEL 2-WD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 2.500 acre tract in the name Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a railroad spike (found) at the centerline intersection of Ashbaugh Road and Brand Road;

Thence, North 79°22'57" West, a distance of 829.60 feet, along the centerline of Brand Road, to a magnail (set) at the northwesterly corner of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896, and being the **True Place of Beginning** for the parcel herein described:

Thence, South 03°10'57" East, a distance of 30.89 feet, along the westerly line of said 1.921 acre tract, to an iron pipe (set) on the southerly existing highway easement for Brand Road, passing a 3/4" I.D. pipe (found) at a distance of 25.87 feet;

Thence, North 79°22'57" West, a distance of 200.00 feet, leaving said westerly line and running across said 2.500 acre tract, being parallel with and 30.00 feet perpendicular to the existing centerline of Brand Road, to a 3/4" I.D. pipe (found) on the easterly line of a 2.914 acre tract in the name of the Washington Township Board of Trustees, as recorded in Official Record Volume 12406, Page D09;

Thence, North 03°10'57" West, a distance of 30.89 feet, along the easterly line of said 2.914 acre tract, to a magnail (set) in the centerline of Brand Road at the northeasterly corner of said 2.914 acre tract, passing a 3/4" I.D. pipe (found) at a distance of 5.13 feet;

Thence, South 79°22'57" East, a distance of 200.00 feet, along the centerline of Brand Road to the **True Place of Beginning**, containing 0.138 acres more or less, of which 0.138 acres is in the Present Roadway Occupied (P.R.O.).

Iron Pipes set are 3/4 inch inside diameter iron pipes, 30 inches long, with a yellow cap stamped "W.E. STILSON".

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

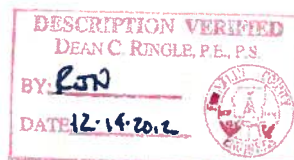
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

John Jeffrey Raab

John Jeffrey Raab, Ohio Registered Surveyor No 7863
Prepared by: W.E. Stilson Consulting Group, LLC.
Job No.: 111013.00
(Auditor's Parcel No. 273-000436-00)

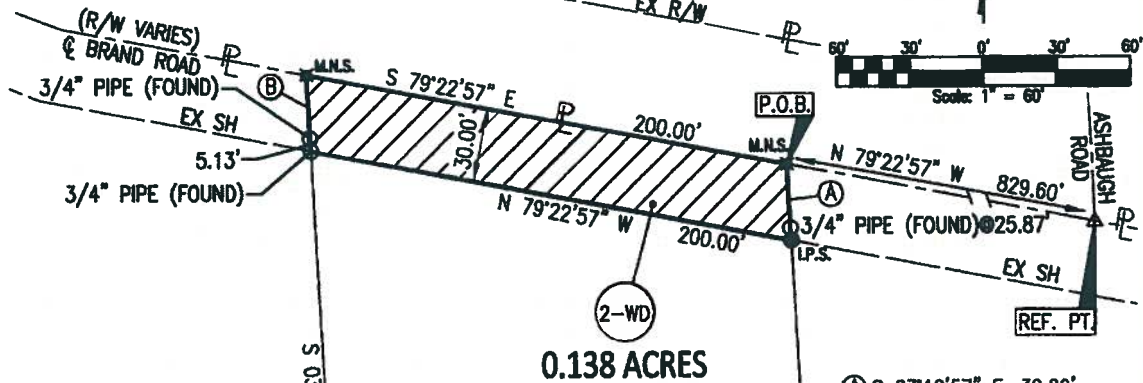
Date

12/10/12



0-107-E
SPLIT
0.138 AC
OUT OF
(273)
000436

EXHIBIT B
PARCEL 2-WD
BRAND ROAD SHARED-USE PATH
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
 V.M.S. 2544



①
 WASHINGTON TOWNSHIP
 BOARD OF TRUSTEES
 273-004780-00
 2.914 ACRES
 O.R. 12406, PG. D09

②
 MICHAEL A. &
 JUDITH E. TEETS
 273-000436-00
 2.500 ACRES
 O.R. 25045, PG. B20

③
 MICHAEL A. WADE
 273-000379-00
 1.921 ACRES
 INST. #200111280274896



Pride in the Details. Passion in our People.
 355 E. CAMPUS VIEW BLVD
 COLUMBUS, OH 43235
 (614) 847-4670

John Jeffrey Raab 12/10/12
 JOHN JEFFREY RAAB, P.S. 7863 DATE

- LEGEND:**
- △ RAILROAD SPIKE FOUND
 - IRON MONUMENT FOUND
 - I.P.S. 3/4" I.D. PIPE SET W/CAP STAMPED "W.E. STILSON"
 - M.N.L.S. MAGNAIL SET

BASIS OF BEARINGS:
 THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

EXHIBIT A

Page 1 of 1
11-022-CIP
CIP
PARCEL 2-P
PROJECT BRAND SUP
Version Date 01/17/13

**PARCEL 2-P
DESCRIPTION OF A PERMANENT EASEMENT
FOR A SHARED-USE PATH, UTILITIES, DRAINAGE AND GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 2.500 acre tract in the name Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 2.500 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 2.914 acre tract in the name of the Washington Township Board of Trustees, as recorded in Official Record Volume 12406, Page D09;

Thence, South 03°10'57" East, for a distance of 30.89 feet, with the easterly line of said 2.914 acre tract, to a point on the southerly existing highway easement for Brand Road, said point also being the **True Place of Beginning** for the easement herein described:

Thence, South 79°22'57" East, a distance of 200.00 feet, leaving said property line, parallel with and 30.00 feet southerly from said centerline, with the southerly existing highway easement for Brand Road, to a point on the westerly line of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896;

Thence, South 03°10'57" East, a distance of 4.12 feet, with the westerly line of said 1.921 acre tract, to a point;


Thence, leaving said line, running across said 2.500 acre tract, for the following three (3) calls:

- 1.) Thence, North 79°22'57" West, a distance of 130.66 feet to a point;
- 2.) Thence, North 88°28'22" West, a distance of 25.32 feet to a point;
- 3.) Thence, North 79°22'57" West, a distance of 43.36 feet to a point on the easterly line of said 2.914 acre tract;

Thence, North 03°10'57" West, a distance of 8.24 feet to the **True Place of Beginning**, containing 0.024 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.


John Jeffrey Raab, Ohio Registered Surveyor No 7863 Date 1/18/13
Prepared by: W.E. Stilson Consulting Group, LLC.
Job No.: 111013.00
(Auditor's Parcel No. 273-000436-00)

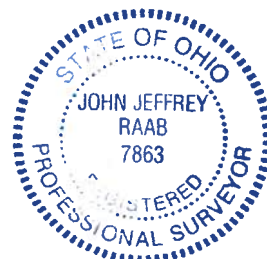
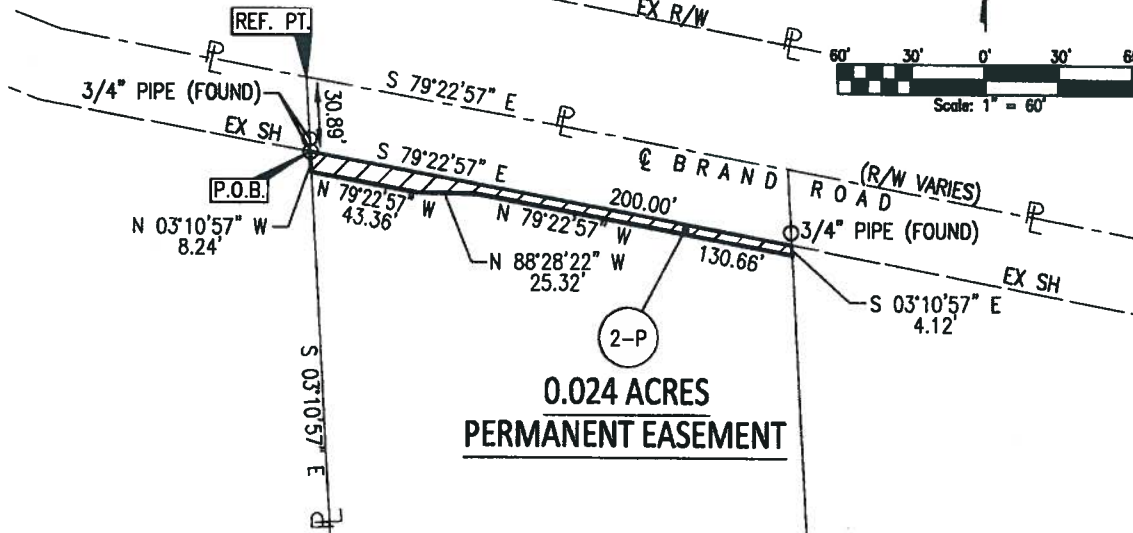


EXHIBIT B
PARCEL 2-P
BRAND ROAD SHARED-USE PATH
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
 V.M.S. 2544



0.024 ACRES
PERMANENT EASEMENT

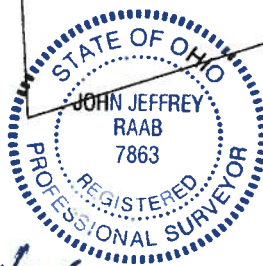
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 INST. #200111280274896



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 355 E. CAMPUS VIEW BLVD
 COLUMBUS, OH 43235
 (614) 847-4670



John Jeffrey Raab 11/24/12
 JOHN JEFFREY RAAB, P.S. 7863 DATE

LEGEND:

○ IRON MONUMENT FOUND

BASIS OF BEARINGS:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

EXHIBIT A

Page 1 of 1
11-022-CIP
CIP
PARCEL 2-T
PROJECT BRAND SUP
Version Date 11/20/12

**PARCEL 2-T
DESCRIPTION OF A TEMPORARY EASEMENT
FOR GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 2.500 acre tract in the name Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 2.500 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 2.914 acre tract in the name of the Washington Township Board of Trustees, as recorded in Official Record Volume 12406, Page D09;

Thence, South 03°10'57" East, for a distance of 39.13 feet, with the easterly line of said 2.914 acre tract, to a point;

Thence, South 79°22'57" East, for a distance of 43.36 feet, leaving said line and running across said 2.500 acre tract, parallel with and 38.00 feet southerly from said centerline, to a point, said point also being the **True Place of Beginning** for the easement herein described:

Thence, South 88°28'22" East, a distance of 25.32 feet, to a point;

Thence, South 79°22'57" East, a distance of 130.66 feet, to a point on the westerly line of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896;

Thence, South 03°10'57" East, a distance of 12.36 feet, with the westerly line of said 1.921 acre tract, to a point;

Thence, leaving said line, running across said 2.500 acre tract, for the following three (3) calls:

- 1.) Thence, North 79°22'57" West, a distance of 43.61 feet to a point;
- 2.) Thence, North 10°37'03" East, a distance of 8.00 feet to a point;
- 3.) Thence, North 79°22'57" West, a distance of 115.00 feet to the **True Place of Beginning**, containing 0.021 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.


John Jeffrey Raab, Ohio Registered Surveyor No 7863

11/20/12
Date

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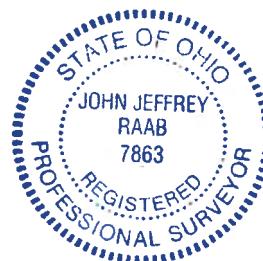
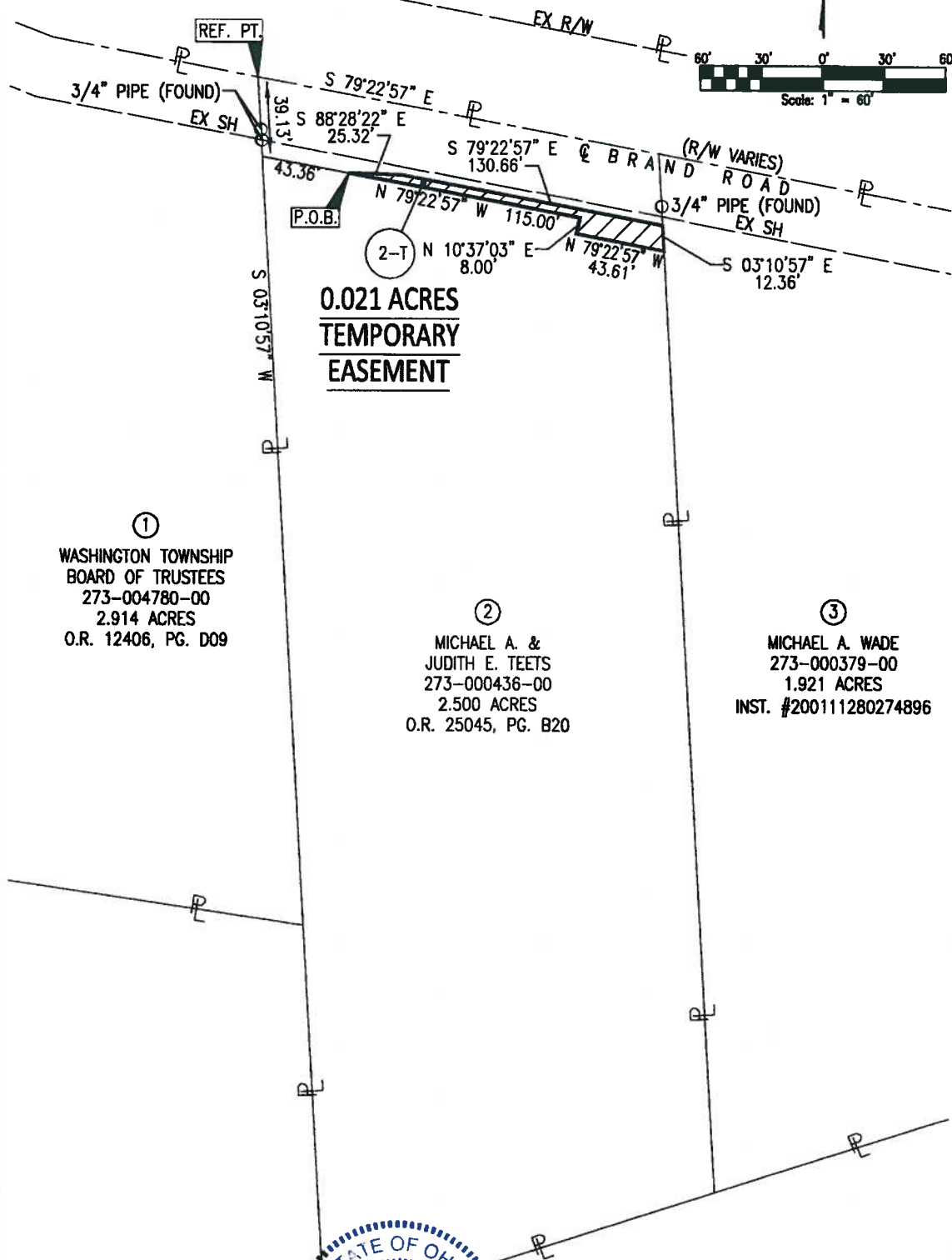
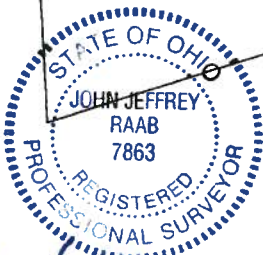


EXHIBIT B
PARCEL 2-T
BRAND ROAD SHARED-USE PATH
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
 V.M.S. 2544



W.E. STILSON
 CONSULTING GROUP

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 COLUMBUS, OH 43235
 (614) 847-4670



LEGEND:
 ○ IRON MONUMENT FOUND

BASIS OF BEARINGS:
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John Jeffrey Raab 4/19/12
 JOHN JEFFREY RAAB, P.S. 7863 DATE